

Regular Session, 2009

HOUSE BILL NO. 775

BY REPRESENTATIVE GUINN

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

WILDLIFE & FISHERIES: Provides for the rulemaking authority of the Dept. of Wildlife and Fisheries

1 AN ACT

2 To amend and reenact R.S. 49:953(C) and R.S. 56:6(10), relative to the rulemaking authority
3 of the Department of Wildlife and Fisheries; to provide for petitions by an interested
4 person; to provided for authority to adopt rules and regulations; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 49:953(C) is hereby amended and reenacted to read as follows:

8 §953. Procedure for adoption of rules

9 * * *

10 C. An interested person may petition an agency requesting the adoption,
11 amendment, or repeal of a rule. Each agency shall prescribe by rule the form for
12 petitions and the procedure for ~~their~~ such petitions' submission, considerations, and
13 disposition. Within ninety days after submission of a petition, the agency shall either
14 deny the petition in writing, stating reasons for the denial, or shall initiate ~~rule~~
15 ~~making~~ rulemaking proceedings in accordance with this Chapter.

16 * * *

17 Section 2. R.S. 56:6(10) is hereby amended and reenacted to read as follows:

18 §6. Special powers and duties; statistics; rules and regulations; reports

19 The commission, through its secretary:

20 * * *

(10) Shall for the comprehensive control of birds, shellfish, finfish, and wild quadrupeds, adopt rules and regulations not inconsistent with the provisions of this ~~Part~~ Part Chapters 1 through 3 and 5 of this Title and in accordance with the provisions of the Louisiana Administrative Procedure Act.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Guinn

HB No. 775

Abstract: Provides for the rulemaking authority of the Dept. of Wildlife and Fisheries.

Present law provides that an interested person may petition an agency requesting the adoption, amendment, or repeal of a rule. Within 90 days after submission of a petition in accordance with agency's rules, the agency shall either deny the petition in writing, stating reasons for the denial, or shall initiate rulemaking proceedings in accordance with present law.

Proposed law retains present law.

Present law authorizes the Wildlife and Fisheries Commission through the secretary of the Dept. of Wildlife and Fisheries to adopt rules and regulations for the comprehensive control of birds, shellfish, finfish, and wild quadrupeds.

Proposed law retains present law.

(Amends R.S. 49:953(C) and R.S. 56:6(10))